UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,491	04/04/2001	Scott S. Snibbe	YCMIP001	6835

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EXAMINER
ZHOU, TING

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/828,491	SNIBBE ET AL.
	Examiner	Art Unit	
	Ting Zhou	2173	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 September 2004</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The Request for Continued Examination (RCE) filed on 27 September 2004 under 37

CFR 1.53(d) based on parent Application No. 09/828,491 is acceptable and a RCE has been

established. An action on the RCE follows.

2.   The amendment submitted with the filing of the RCE on 27 September 2004 has been

received and entered. Claims 1-29 as amended are pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

3.   Claims 1-3, 7-17, 19-20 and 22-29 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hanson et al. U.S. Patent 6,507,865.

Referring to claims 1, 19, 20, 22, 23, 27, 28 and 29, Hanson et al. teach a method, system

and computer program product comprising providing a user interface to a digital device network

(an interface in the electronic medium fostering content collaboration among participants

connected to a network) (column 2, lines 60-62 and column 3, lines 15-17), the interface

configured to enable a user to manipulate digital collage elements to contribute collaboratively

online with other users in a collaborative community to create a digital media artifact (users can

contribute and collaborate with other users to provide content, i.e. by manipulating, or creating

and updating dynamic content such as images, streaming media, lists, calendars, slide

presentations, etc.) (column 2, lines 60 - column 3, line 65 and column 14, lines 42-51),

submitting collaborative user contributions to the online digital media artifact received prior to

the deadline for production by a third party into a final media product (for example, submitting a

message to an online group greeting card prior to the send date) (column 15 , lines 15-17 and

further shown in Figure 11), and tracking a genealogy of the digital media artifact including a

history of the digital media artifact and collaborative user contributions (tracking the comments

and changes made by other participants to the message by maintaining a record of the history of

changes that have been made to any dynamic content region) (column 7, lines 30-37 and column

13, lines 38-43). This is further shown in the example of an online group collaboration greeting

card system recited in column 14, lines 43-51, column 15, lines 33-46 and Figures 9-13.

Referring to claim 2, Hanson et al. teach the third party being part of the collaborative

community that participated in the creation of the digital media artifact (the electronic medium

can provide a background or "canvas" to which participants can add content) (column 14, lines 43-51).

Referring to claim 3, Hanson et al. teach the third party not being part of the collaborative community that participated in the creation of the digital media artifact (instead of providing a canvas for use by the participants, the electronic medium can be updated instead by a variety of external sources) (column 5, lines 9-14).

Referring to claim 7, Hanson et al. teach the media product being one or more of an animation, television program, song, motion picture or commercial (streaming media such as television programs or commercials) (column 3, lines 23-26 and column 5, lines 9-11).

Referring to claim 8, Hanson et al. teach the media product being a special edition product (column 3, lines 23-26 and column 5, lines 9-11).

Referring to claim 9, Hanson et al. teach the user contributions including one or more of plots, characters, settings, situations, sound clips, drawings, artwork and video clip (users can input content such as images and audio clips) (column 14, lines 43-51).

Referring to claim 10, Hanson et al. teach the user contributions based on materials from a fixed-asset database (selections from predetermined or predefined data can be made by the user) (column 15, lines 1-17).

Referring to claim 11, Hanson et al. teach the user contributions including contributions to a working material asset database available to other members of the community (column 13, lines 38-43).

Referring to claim 12, Hanson et al. teach tracking the user contributions to a collaborative digital media artifact based on a genealogy algorithm (tracking the comments and

changes made by other participants to the message by maintaining a record of the history of

changes that have been made to any dynamic content region).

Referring to claim 13, Hanson et al. teach displaying the modification history and

percentage of contribution from multiple parties to the collaborative digital media artifact

(displaying and tracking the history of modifications and contributions from users) (column 7,

lines 30-37, column 13, lines 38-43 and further shown in Figures 9 and 17).

Referring to claim 14, Hanson et al. teach the users in the online collaborative community

providing identity information in a user profile viewable by other members of the community

(users are represented by their network addresses and names and their names can be viewed with

their contributions by the members of the community) (column 3, lines 34-48, column 7, lines

31-37 and further shown by reference character "1140" in Figure 16).

Referring to claim 15, Hanson et al. teach tracking user activity in the online

collaborative community (tracking the comments and changes made by other participants to the

message) (column 7, lines 30-37 and column 13, lines 38-43).

Referring to claim 16, Hanson et al. teach correlating user activity with user profile data

to determine demographic preferences (the database stores information that is specific to the

participant, or user profile data, including demographic data, participant preference information,

etc.) (column 7, lines 18-27).

Referring to claim 17, Hanson et al. teach an interface to a digital device network

(column 3, lines 10-19), the interface configured to enable a user to view a plurality of digital

media artifacts collaboratively created by members of the online community, and to select from

among the plurality of artifacts, one or more artifacts to modify (allows the users to view

greeting cards created by members of the online community and modify them to add their

comments and signatures) (column 14, lines 43-51, column 15, lines 33-56 and further shown in

Figure 9).

Referring to claim 24, Hanson et al. teach the network of digital devices comprising one

or more clients running front-end software, the software providing a user interface to the digital

computer network, the interface configured to enable a user to manipulate digital collage

elements to contribute collaboratively online with other users to create a digital media artifact,

one or more servers running back-end software, the software configured to interface with the

front-end software to coordinate the contributions of a plurality of users, one or more databases

configured for storage of digital media and associated information, and application program

interfaces (APIs) and middleware (server-side software components) configured to communicate

between the one or more clients, servers and databases (column 2, lines 60 - column 3, line 65,

column 6, lines 23-67, column 26, lines 53-67 and column 27, lines 1-18). This is further shown

in Figures 1 and 2.

Referring to claim 25, Hanson et al. teach the digital device network comprising one or

more of personal computers, interactive television devices, cable boxes and cable modems

(column 6, lines 34-47).

Referring to claim 26, Hanson et al. teach the digital device network further comprising

one or more of wireless devices, cellular telephones and personal digital assistants (column 6,

lines 34-47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

4.   Claims 4-6, 18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hanson et al. U.S. Patent 6,507,865 and Knight U.S. Patent 6,515,681.

Referring to claim 4, Hanson et al. teach all of the limitations as applied to claim 1 above.

However, Hanson et al. fail to explicitly teach the submission of only the most popular user

contributions for production. Knight teaches an online user collaboration method (Knight:

column 4, lines 62-67) similar to that of Hanson et al. In addition, Knight further teaches the

submission of only the most popular user contributions, as determined by explicit or implicit

voting by community members (retrieving and displaying only information indicated as of the

most interest to the user) (Knight: column 6, lines 15-21). It would have been obvious to one of

ordinary skill in the art, having the teachings of Hanson et al. and Knight before him at the time

the invention was made, to modify the online collaboration method of Hanson et al. to include

the submission of the most popular contributions, as taught by Knight. One would have been

motivated to make such a combination in order to provide intelligent data gathering, storage and

retrieval, so that the interests of the users of the service are taken into consideration for purposes

of building content; furthermore, by only submitting information that are of importance or

interest to the user, the final product is guaranteed to be satisfactory and pertinent to the user's

needs, thus saving users time from having to view unrelated and unimportant information.

Referring to claim 5, Hanson et al. teach all of the limitations as applied to claim 1 above.

Specifically, Hanson et al. teach tracking the contributions of users in the collaborative

community (tracking the comments and changes made by other participants to the message)

(Hanson et al.: column 7, lines 30-37 and column 13, lines 38-43). However, Hanson et al. fail to

explicitly teach determining the popularity of user contributions by tracking, viewing and/or use

of the contributions by other users in the collaborative community. Knight teaches an online

user collaboration method (Knight: column 4, lines 62-67) similar to that of Hanson et al. In

addition, Knight further teaches a tracking system that tracks the frequency of information usage

to determine popularity (Knight: column 6, lines 22-30 and lines 59-65). It would have been

obvious to one of ordinary skill in the art, having the teachings of Hanson et al. and Knight

before him at the time the invention was made, to modify the online collaboration method of

Hanson et al. to include the use of a tracking system to determine the popularity of user

contributions, taught by Knight. One would have been motivated to make such a combination in

order to provide intelligent data gathering, storage and retrieval, so that the interests of the users

of the service are taken into consideration for purposes of building content; furthermore, by only

submitting information that are of importance or interest to the user, the final product is

guaranteed to be satisfactory and pertinent to the user's needs, thus saving users time from

having to view unrelated and unimportant information.

Referring to claim 6, Hanson et al. teach all of the limitations as applied to claim 1 above.

Specifically, Hanson et al. teach tracking the contributions of users in the collaborative

community (tracking the comments and changes made by other participants to the message)

(Hanson et al.: column 7, lines 30-37 and column 13, lines 38-43). However, Hanson et al. fail

to explicitly teach a quality rating system of the contributions of users in the collaborative

community. Knight teaches an online user collaboration method (Knight: column 4, lines 62-67)

similar to that of Hanson et al. In addition, Knight further teaches determining the popularity of

a user contribution to the collaborative media artifact by tracking the assignment of a quality

rating (display of a ranking system identifying the most popular information) (Knight: column

18, lines 44-51). It would have been obvious to one of ordinary skill in the art, having the

teachings of Hanson et al. and Knight before him at the time the invention was made, to modify

the online collaboration method of Hanson et al. to include determining the popularity of user

contributions through a rating system, taught by Knight. One would have been motivated to

make such a combination in order to provide intelligent data gathering, storage and retrieval, so

that the interests of the users of the service are taken into consideration for purposes of building

content; furthermore, by only submitting information that are of importance or interest to the

user, the final product is guaranteed to be satisfactory and pertinent to the user's needs, thus

saving users time from having to view unrelated and unimportant information.

Referring to claim 18, Hanson et al. teach all of the limitations as applied to claims 1 and

17 above. Specifically, Hanson et al. teach providing an interface to enable a user to view a

plurality of digital media artifacts collaboratively created by members of the online collaborative

community (Hanson et al.: column 3, lines 10-19, column 14, lines 43-51, column 15, lines 33-

56 and further shown in Figure 9). However, Hanson et al. fail to explicitly teach an interface

that uses statistical sampling to select the plurality of artifacts presented to the user. Knight

teaches an interface enabling an online user collaboration system (Knight: column 4, lines 62-67

and further shown in Figure 5) similar to that of Hanson et al. In addition, Knight further teaches

the use of statistical sampling through picking a subset of information that matches the user's

query request to display, namely, the most popular and relevant information (Knight: column 6,

lines 15-18 and column 16, lines 12-17). It would have been obvious to one of ordinary skill in

the art, having the teachings of Hanson et al. and Knight before him at the time the invention was

made, to modify the online collaboration interface taught by Hanson et al. to include the

statistical sampling of Knight. One would have been motivated to make such a combination in

order to provide intelligent data gathering, storage and retrieval, so that the interests of the users

of the service are taken into consideration for purposes of building content; furthermore, by only

submitting information that are of importance or interest to the user, the final product is

guaranteed to be satisfactory and pertinent to the user's needs, thus saving users time from

having to view unrelated and unimportant information. It would have also been advantageous to

make such a combination in order to prevent users from being overwhelmed with too much

information; this way, users will only receive a subset of the database, making it easier for them

to view and navigate the data.

Referring to claim 21, while Hanson et al. teach all of the limitation as applied to claim

19 above, they fail to explicitly teach selecting a subset of the collaborative contributions.

Knight teaches an online user collaboration method (Knight: column 4, lines 62-67) similar to

that of Hanson et al. In addition, Knight further teaches selecting a portion of the contributions

from the collaborative community, i.e. only the most popular information or information of the

most interest to users (Knight: column 6, lines 15-21). It would have been obvious to one of

ordinary skill in the art, having the teachings of Hanson et al. and Knight before him at the time

the invention was made, to modify the online collaboration method of Hanson et al. to include

the selection of a subset of contributions, as taught by Knight. One would have been motivated

to make such a combination in order to provide intelligent data gathering, storage and retrieval,

so that the interests of the users of the service are taken into consideration for purposes of

building content; furthermore, by only submitting information that are of importance or interest

to the user, the final product is guaranteed to be satisfactory and pertinent to the user's needs,

thus saving users time from having to view unrelated and unimportant information. It would

have also been advantageous to make such a combination in order to prevent users from being

overwhelmed with too much information; this way, users will only receive a subset of the

database, making it easier for them to view and navigate the data.

Response to Arguments

5.   Applicant's arguments filed on 27 September 2004 have been fully considered but they

are not persuasive.

6.   The applicant asserts that the Hanson reference does not teach the manipulation of digital

collage elements. The examiner respectfully disagrees. Hanson et al. teach that participants

collaborate and contribute content by providing input to the server to update the dynamic

content, as recited in column 4, lines 51-58. Among the dynamic content that can be updated by

the participants are digital collage elements such as images, lists, streaming media, calendars,

tables, forms, slide presentations, etc., as recited in column 3, lines 23-33. Since users update the

dynamic content region, they consequently update information in the dynamic content regions,

such as the images, lists, and other digital collage elements. As a further example, Hanson et al.

teach the supply of a "canvas" onto which different participants can add a piece, such as text or an image, to the overall content, as recited in column 14, lines 42-51; therefore, participants use those various digital collage elements, such as the added image or text for example, to contribute and collaborate with other participants.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4 November 2004

RAYMOND J. BAYERL
PRIMARY EXAMINER
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